IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 21ST JUNE 2007 / 31ST JYAISHTA 1929

Bail Appl..No. 3769 of 2007()

BA.382/2007 of J.M.F.C.,SULTHANBATHERY
CR.NO.30/2007 OF SULTHAN BATHERY EXCISE RANGE

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: PETITIONER/ACCUSED;

KUTTAN, AGED 44 YEARS, S/O.VELIYAN
MOOPPAN, MANALVAYAL HOUSE, CHETYALATHUR,
MUKKUTHIKUNNU P.O., NOOLPUZHA VILLAGE,
SULTHAN BATHERY.

BY ADV. SRI.A.T.ANILKUMAR
SRI.P.DALBI EMMANUEL

RESPONDENTS: RESPONDENT/COMPLAINANT:

STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR , HIGH COURT OF KERALA
REPRESENTING THE EXCISEL INSPECTOR ,
SULTHAN BATHERY EXCISE RANGE, IN CR.30/2007.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.3769 of 2007

Dated this the 21st day of June 2007

O R D E R

Application for regular bail. Allegations are raised under the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 10 litres of arrack on 27/5/2007. He continues in custody from that date.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not seriously oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 02/07/2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays, for a period of three months. Thereafter, he shall make himself available for interrogation as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007